

Quid Novi



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MCGILL UNIVERSITY FACULTY OF LAW
UNIVERSITE MCGILL FACULTE DE DROITApril 1, 1987
Le 1 avril 1987

APR 8 1987

Stoned in the Stacks?

by Teresa Scassa

A few years ago, Concordia University initiated some pretty drastic measures to rid its

Duncan Kennedy et la Tendre Enfance

par Pierre Larouche

L'éducation juridique est politique; elle déborde de messages politiques et constitue un endoctrinement en vue de l'accès à la hiérarchie juridique, débute Duncan Kennedy, professeur de droit à l'université Harvard, lors de sa visite à McGill, lundi le 23 mars. La conférence s'annonçait prometteuse...

M. Kennedy, il faut le reconnaître, possède une certaine éloquence qui, combinée à une bonne organisation de son discours, ne peut que le favoriser.

Son message était divisé en quatre volets. Tout d'abord,

Cont'd on p.8

seventh floor cafeteria of the large number of drug dealers who found it an ideal place to ply their trade. That particular location suited them since it combined an easily accessible downtown site with a constant traffic of likely consumers. Concordia has been moderately successful in its purge of the dealing scourge, but at what cost to McGill?

It is starting to become evident to many students here at the Faculty that several of the Concordia drug refugees have re-established their trade on the sixth floor of our library. There, relatively unnoticed by a large segment of the students and faculty, they receive visits from clients who may or may not be members of the student body.

It would seem that students at the faculty of law have enough problems as it is without the addition of a close-to-hand source of escapist substances. Drugs are so readily available in this city that there seems to be no need whatsoever to tolerate their presence on campus.

What the faculty's dealers seem to be doing is taking advantage of an area which is neither subject to police surveillance, nor guarded by any regular

security service. Their presence fosters the kind of disrespect for legalism that can only detract from a completely insular legal education.

There is, of course, the added problem of limited library space. Why should students be forced to cram for exams in out-of-faculty libraries when persons paying no tuition fees whatsoever are gleefully usurping their library space?

From the looks of things the situation is bound to deteriorate. Students who know of the problem either exploit it or shrug it off. Most remain cheerfully ignorant. It is a blot on McGill's fine legal record to have these covert acts of corruption perpetrated beneath its august eaves.

Cont'd on p.9

Quote of the Week

Prof. Perry in response to a question in Equity and Trusts regarding aesthetic trusts:

Q: Can you say that beauty is in the eyes of the beholder?

A: Yes, I can say it. Would you like me to say it? All right. "Beauty is in the eye of the beholder."

ANNOUNCEMENTS

Summer Legal Aid

The Legal Aid Clinic is looking for students to volunteer a few hours of time over the summer. This is a great way to discover what the practice of law is really like.

Our summer hours are 10:00 a.m. to 4:00 p.m.

Those interested should leave a message in the SAO mailbox to the attention of Dianne George.

Remerciements

L'équipe du Charles Rousseau tient à remercier ceux qui ont contribué à victoire et qui contribueront à sa préparation en vue de l'épreuve internationale.

Le Professeur Patrick Glenn qui a fait preuve d'un sens remarquable de l'organisation et qui a su prêter une oreille attentive aux demandes des coéquipiers; les professeurs Yves-Marie Morissette, Pierre Gabriel Jobin, Madeleine Cantin-Cumyn et Martin Boodman; nos camarades Sylvie Duchesneau, Gary Bell, Gad Cohen, Christophe Eick, Josée Fecteau, Denis Godbout et Anne Spafford.

Forum National

Forum National is happy to announce the election of the new executive for next year replacing François Cossette, David Bigio, Nathalie Johnson, and Brigitte Catellier.

President: Paul Corriveau
BCL I

Treasurer: Paul Franco BCL I

Secrétaire: Anne Marie Sheahan BCL II

PRESIDENT'S PARTING WORDS

Now that the year is coming to an end, I would like to take this opportunity to thank all those students whose names are too numerous to mention, who have helped to make this a year a memorable one!

Special thanks are extended to the LSA Council, the executive Council and SAO for always being there.

Special thanks are also extended to the Dean for his ongoing concern for a better looking faculty, an expanded library and more student activities.

I am confident that next year's LSA will continue in the same tradition of representing law students as well as continuing to promote an active student life.

Thanks again to all - and best of luck!

Maria R. Battaglia
LSA President

Last Quid Novi

Not to panic. The Quid is merely shutting down production for this year.

We will, however, be back in fine form come September. Start thinking now about those articles you could be writing. First years: now that you've almost made it through an entire year of law school, sit back and enjoy the extras it has to offer. Next year's staff will consist of the following:

Editor-in-Chief
Joani Tannenbaum

Assistant Editor
Normand Perreault

French Editor
Brigitte Catellier

We are still looking for a Production Manager, an English Editor and we welcome any fledgling journalists who wish to ply their trade.

GOOD LUCK ON EXAMS!



Editorial

In recent months, much attention has been focused on the issue of capital punishment. The upcoming Parliamentary debate as to whether or not the death penalty should be reintroduced is, at best, a moot point. The motion to introduce the bill to reinstate the death penalty is to go before the House in the near future. Given the current (though temporary) conservative Conservative majority, the bill will most likely become law by summer's end.

Because this is one issue that should concern all Canadians, it is important that MPs be attuned to the attitudes of their constituents. Whether or not MPs respond to their own consciences or to the wishes of the electorate, people must make their voices heard (*vox ducum* and all that). To this end, the debate that will anon ensue in Parliament is currently being used in various forums across Canada. These debates are not staged for the benefit of Canadians who have already decided their position on capital punishment. They are for people, like me, who have not yet made their choice. When we, the undecided, choose, it is our responsibility to do so in an informed and intelligent manner.

At the heart of the debate is the fact that capital punishment is the act of terminating a human life. Is it justifiable? No matter that some proponents limit its application to specific offences, the fact remains that killing is to be answered by killing another. Is this society's way of conveying to the murderer that human life is sacred? I see a contradiction. So how do we establish that murder is not tolerated in a civilized society? Perhaps imprisonment adequately serves this purpose. But there's the common complaint that murderers are soon back on the streets after sentencing. Already, many people believe that society is too concerned with the rights of the criminal and too indifferent to the rights of the victims' families. However, some families of victims have publicly stated their opposition to the death penalty.

We cannot say that capital punishment will serve any deterrent purpose. It is a matter of statistical fact that most murders are crimes of passion, unpremeditated and in the heat of the moment. Figures provided by Amnesty International from an American survey reveal that in those states where the death penalty

exists, murder rates continue to rise.

There is also the risk of mistake. What if an executed person is later exonerated of guilt for his alleged crime? His punishment is irrevocable. Are we prepared to take that risk?

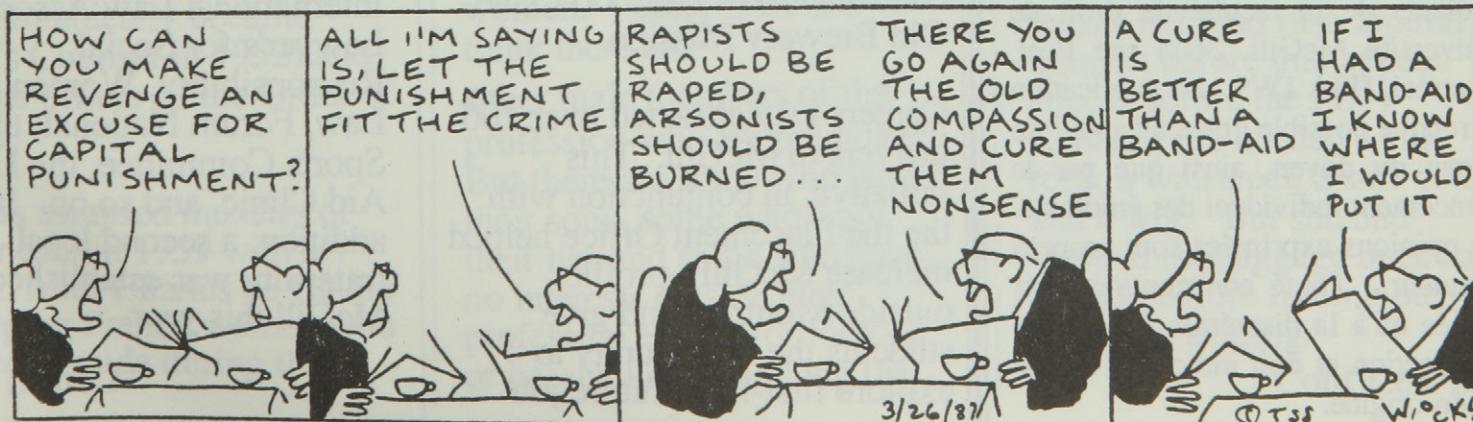
Since numbers weaken the deterrence argument, the only remaining justification for capital punishment is retribution. Vengeance. Doubtless we could live without certain criminals whose crimes are so heinous, whose attitudes are so unremorseful that they defy rehabilitation. Should we, as taxpayers, support these deviants in prison or, instead, satisfy our thirst for revenge and appease our outrage by condemning them to death?

I think it would be more sensible to attack the problem before it exacerbates. After all, criminals are products of their environment, susceptible to disease which is best treated before it spreads. Therefore, the community has a responsibility to cure the situations that currently fester and eventually lead to acts of violence.

Cont'd on p.6

By Ben Wicks

Outcasts



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This was the Year that Was

by Rod Macdonald

Now that the academic year is winding down and the Spring exam period is upon us I thought it would be appropriate to review some of the highlights of the year gone by, if only to express my thanks to those who have made 1986-87 so memorable.

To begin with I think that we should all take special pride in our competitive mooting teams. The dedication of students who invest many hours of preparation in these exercises and the professors who give up their evenings to judge practice moots has obviously had a major bearing on the success rate of our teams.

This also has been a good year for visitors to the Faculty. Throughout the year we have benefitted from the presence of our first Boulton Senior Fellow, Christian Atias, as well as Professor Maureen Irish and Hélène Lebel. In addition, several leading scholars from various law faculties have come to McGill to give seminars and public lectures.

Skit Nite was a tremendous success. The professionalism of the student musicians and the talent reflected in the caricatures of professors was most entertaining. And, of course, the operation contributed over \$7,000 to the Old Brewery Mission.

Careers Day attracted over 100 lawyers to McGill. This initiative, in conjunction with the Placement Office helped increase McGill's profile outside Montreal and give students the opportunity to explore first-hand future job

options in private practice and public service. In fact, two recent McGill graduates will be clerking in the Supreme Court of Canada next year.

The L.S.A. Computers Committee has made extraordinary efforts in improving and upgrading our bank of P.C.s. There are now nine which are operational and we hope to install a half dozen more this summer. Soon we will have the best student P.C. facility in Canada.

The McGill Law Journal is now well ensconced in Room 204, complete with a computerized editing system. Again this year the Board of Editors has turned out a top-rank publication.

At the initiative of concerned students smoking has been banned in New Chancellor Day Hall and a smoker's lounge has been established in the former Law Journal premises.

The basement and cafeteria were repainted, and new furniture will be installed over this coming summer. In addition the L.S.A. Office has been upgraded and the possibility of opening a Sadie's outlet is being explored.

Other student activities and organizations continue to flourish: these include the International Law Association, Lawyer's for Social Responsibility, Women and the Law, Forum National, the Sports Committee, the Legal Aid Clinic, and so on. In addition, a second legal fraternity was established at McGill this year.

Cont'd on p.6

The Woman Behind the Margarine Case

by Marina Strauss
The Globe and Mail

Margaret Hyndman sits behind the old wooden desk in her 24th-floor Toronto law office and fields questions about the intricacies of corporate law and the numerous boards of directors she has sat on.

She talks about cases she is handling - mostly involving estates, and some company matters - and about her loyalty to long-time clients.

And it's been a long time, because at 85, Miss Hyndman - known in her heyday as one of the country's top corporate counsels - is probably the oldest woman practicing law in Canada.

To be sure, her practice as associate counsel at Cassels Brock & Blackwell has wound down considerably over the past couple of years after two bouts of pneumonia that attacked her heart and landed her in hospital.

But she has been back at her office more often in the past weeks, her wheelchair safely positioned to the left of her desk and her cane hung over the side of her chair.

Her list of achievements can fill pages. In 1938 she was named King's Counsel (a designation that automatically became Queen's Counsel in 1952) and she is an officer of the Order of Canada.

She was awarded the City of Paris medal in 1959 with a citation from Charles de Gaulle for helping French women who came to Canada during the

Second World War to tell Canadians about the Free French movement and about conditions in France under the Germans.

Miss Hyndman has lost track of the number of boards of directors she has sat on, from the Canadian Broadcasting Corp. to London and Western Trusts Co. Ltd. (In 1945, when she joined London and Western, which later merged to become Canada Trustco Mortgage Co. of London, Ont., she became the first woman in Canada to sit on the chairman of the board of a trust company).

She was an early activist in the field of women's rights, has held various positions in the Canadian and International Federation of Business and Professional Women's Clubs, was elected Woman of the Year in 1952 by the federation and lobbied in the 1950s for equal pay for equal work.

"As for sitting on boards made up entirely of men and other like experiences, I haven't found any discrimination. I haven't looked for it. I think it's a very good rule to follow - not to look for discrimination, not to see it.

"That doesn't mean that there aren't judges prejudiced against women. I think there are. I think there are other male members of the profession who are prejudiced. But there are some who gargle their soup, some who spot their ties and some who have no interests outside their profession except for football or baseball or something that

doesn't always interest women...."

In short, she thinks there are bad apples among men and women, but the bottom line is how well they perform their job - and that should be the overwhelming concern.

Miss Hyndman "always says that the only battle that needed to be won by women lawyers was won by Clara Brett Martin (Ontario's first woman lawyer) in 1897," said Laura Legge, a lawyer and former treasurer of the Law Society of Upper Canada. "Ever since it's been up to us to get on with it."

Miss Hyndman got on with it and scored some impressive victories, such as helping to put margarine on Canadian kitchen tables.

In the late 1940s, representing the Consumers Association of Canada, she persuaded the Supreme Court of Canada that a 60-year-old federal ban on the sale of margarine was illegal.

The case was appealed to the Imperial Privy Council, which also struck down the margarine prohibition, and Miss Hyndman became the first Canadian woman to appear before that body.

Miss Hyndman smiles as she recalls her mad rush around London before that appeal. To appear before the Privy Council, she needed a silk robe, a waistcoat, a stiff collar and a wig. But she had shipped her luggage back to Canada before finding out about the hearing.

Cont'd on p.6

The Woman Behind Cont'd from p.5

"In those days I was a great deal heavier than I am now. They had no waistcoat for me because there weren't any going to the Privy Council of London who had bosoms.

She borrowed what she could, including a false dickey from her hotel's head waiter and a stiff collar from her friend, Sir Ernest MacMillan, the conductor. "When I got to the door of the Connaught Hotel all the staff was lined up - the hall porter, the head waiter and anybody else who could get away to see me get into the car in my silk gown and wig."

Her father had coal, wood and manufacturing businesses and was town clerk of Palmerston, Ont. where he advised on municipal law. Margaret, her

Editorial Cont'd from p.3

Even without a wider social effort, there are alternative penalties to death. What about a self-contained city, isolated from major population centres? This is a cost-effective scheme that removes the most violent offenders from society - for life. Condemned and alone, they fend for themselves, making a life amongst their own kind. This idea could be the best deterrent. If they want to kill each other in their own community, criminals are free to do so.

Regardless of which side one comes down upon, a balancing of society's interests is involved. A criminal can be a victim. The innocent victim's family has a great loss to be considered. And society at

three sisters and brother followed his activities closely.

Her parents, both of Scottish blood, instilled in their children the belief that they could do anything they wanted to do, she said.

She decided she wanted to be a lawyer at the age of 10 when her parents took her to visit Parliament in Ottawa and she heard "brilliant" speeches by lawyer-politicians such as Sir Wilfrid Laurier in a debate on reciprocity with the United States.

"I wanted to be as eloquent and I wanted to make as much sense and to have as wide interests. I never lost that idea." It led her to law studies in Toronto at Osgoode Hall and in January, 1926, she was called to the bar.

Over the years, she was often courted to run for office and

The Year That Was Cont'd from p.4

As I reflect upon these achievements of the past year, I can't help but think of the outstanding contribution to the life of the Faculty made by the L.S.A. executive and students involved in various groups. Often our own preoccupations are so burdensome that we forget how much others are doing to enrich the Law Faculty experience. Despite the occasional rough period, or unfortunate incident, the record of the past year illustrates that McGill students have shown

large has to be secure from those that kill as well as from its own propensity to kill.

Joani Tannenbaum

was active in the Liberal Party, but she said too many other organizations and interests occupied her time.

Among a wealth of anecdotes, Miss Hyndman tells about being asked to call on Queen Mary during a visit to London in 1947 - the first of four or five such meetings.

"I wanted to send her something after the visit" and a friend suggested silk stockings, which could not be bought in England. So Miss Hyndman had a manufacturer get a crew in on a Saturday to knit a dozen pairs of grey silk stockings for Queen Mary. Miss Hyndman had the Queen's thank-you letter photographed for the factory owner and each of the women who worked overtime to knit the stockings."

"Every Christmas after that I got some momentos from Queen Mary."

Miss Hyndman is quietly getting her dues today in the profession. The society gave her a medal last year for her contribution; a legal sorority created a scholarship in her name. The book she co-authored in 1931 on company law was reprinted in 1979.

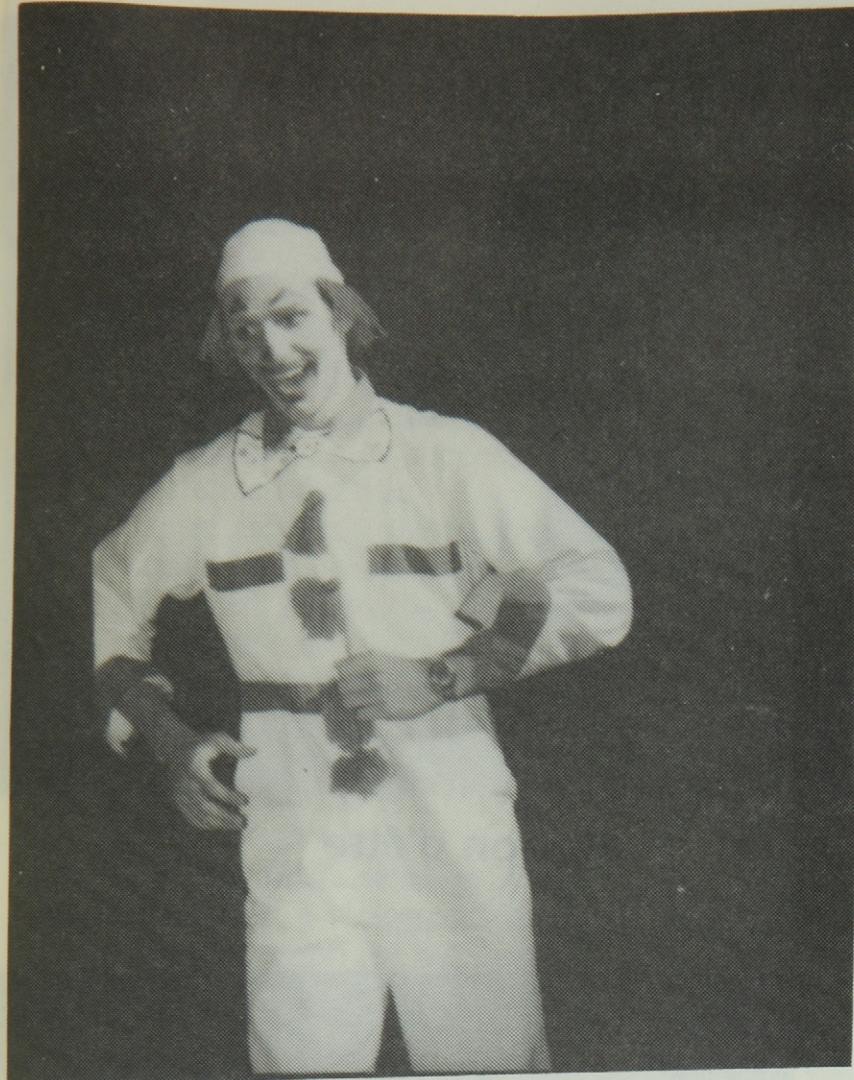
Why is she still at it? "Because I can do something useful. There are people who still want me...I like my work."

real leadership over a wide range of activities.

I think we all owe them a sincere thank you for their energy and enthusiasm in 1986-87, and I know that the challenge they have set for us will be difficult to match next year.

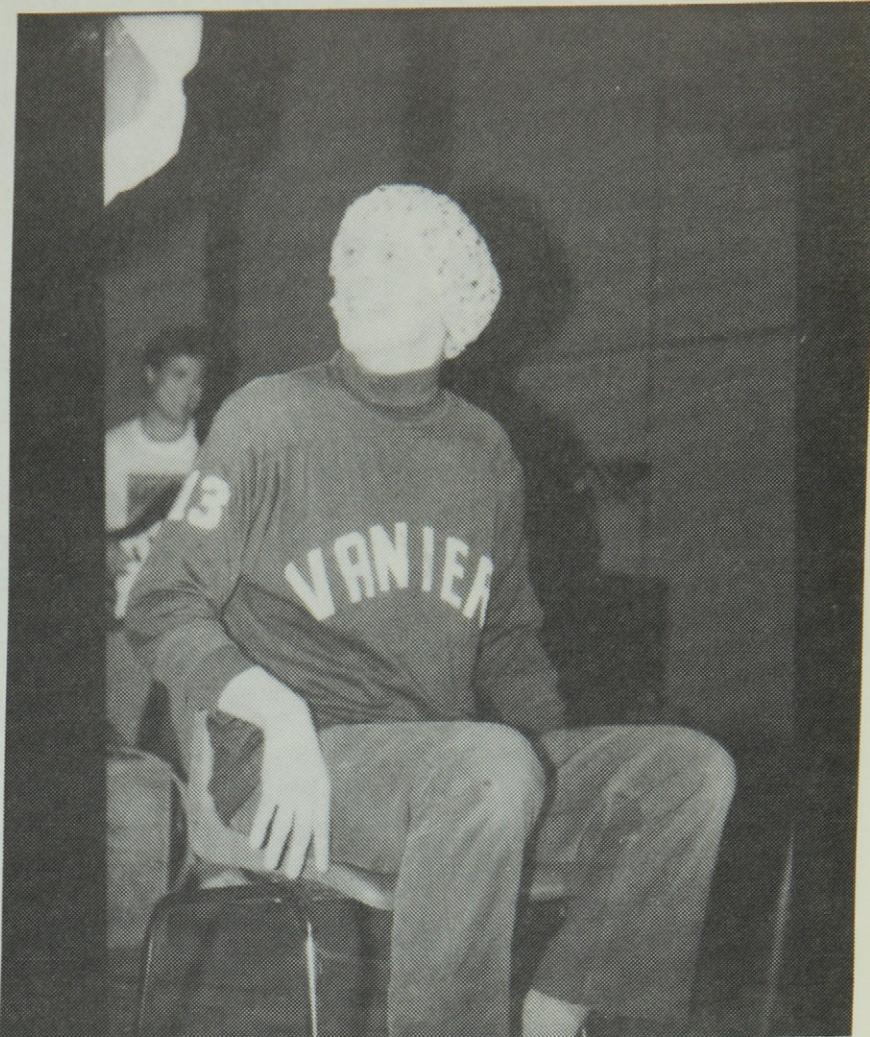
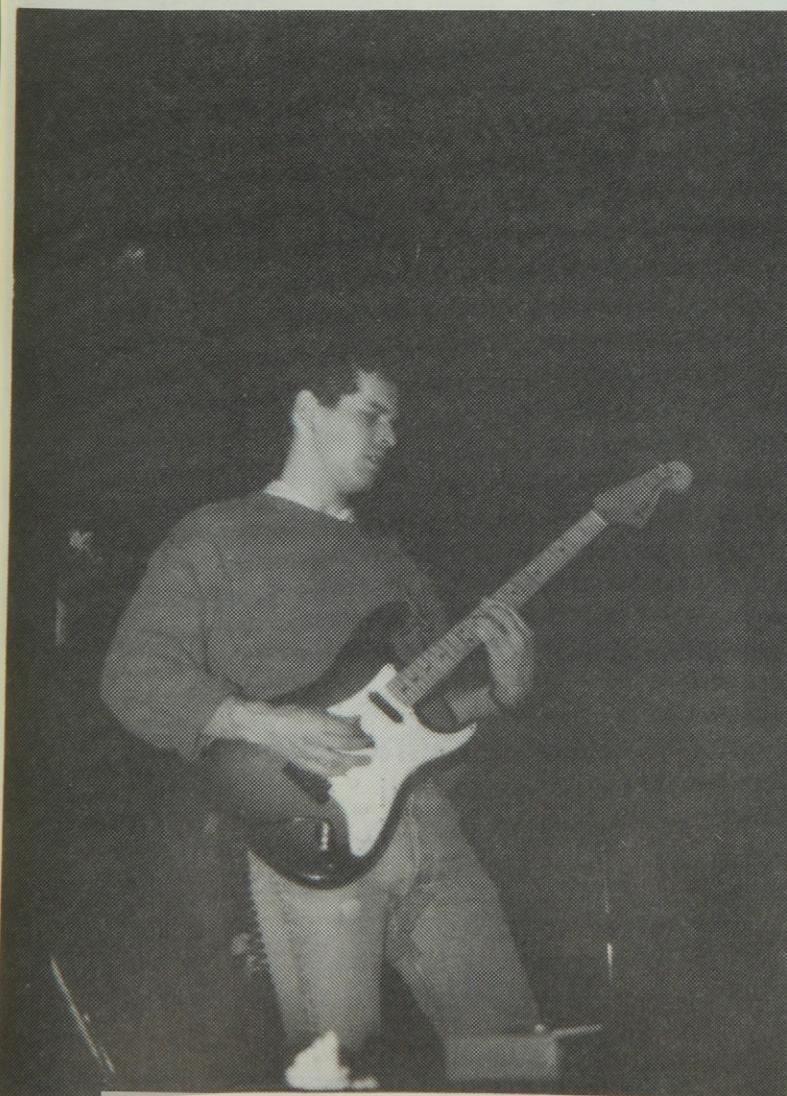
SKITTLES

Ready for dessert

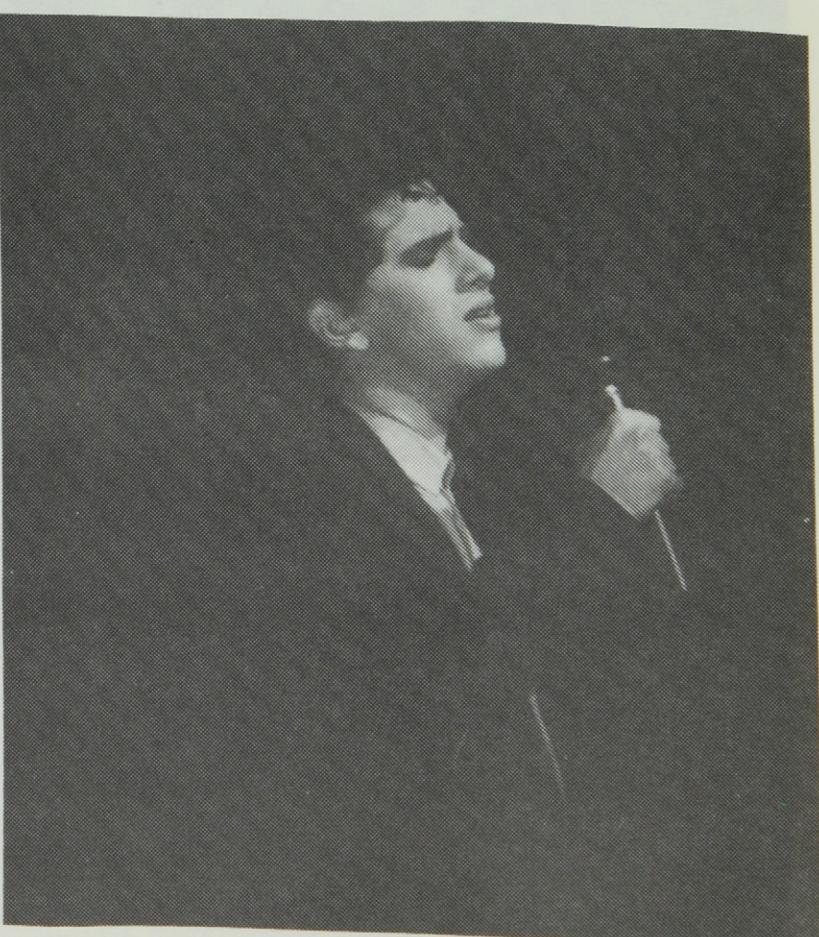


Yuk! Yuk! Yuk!

Gettin' his licks

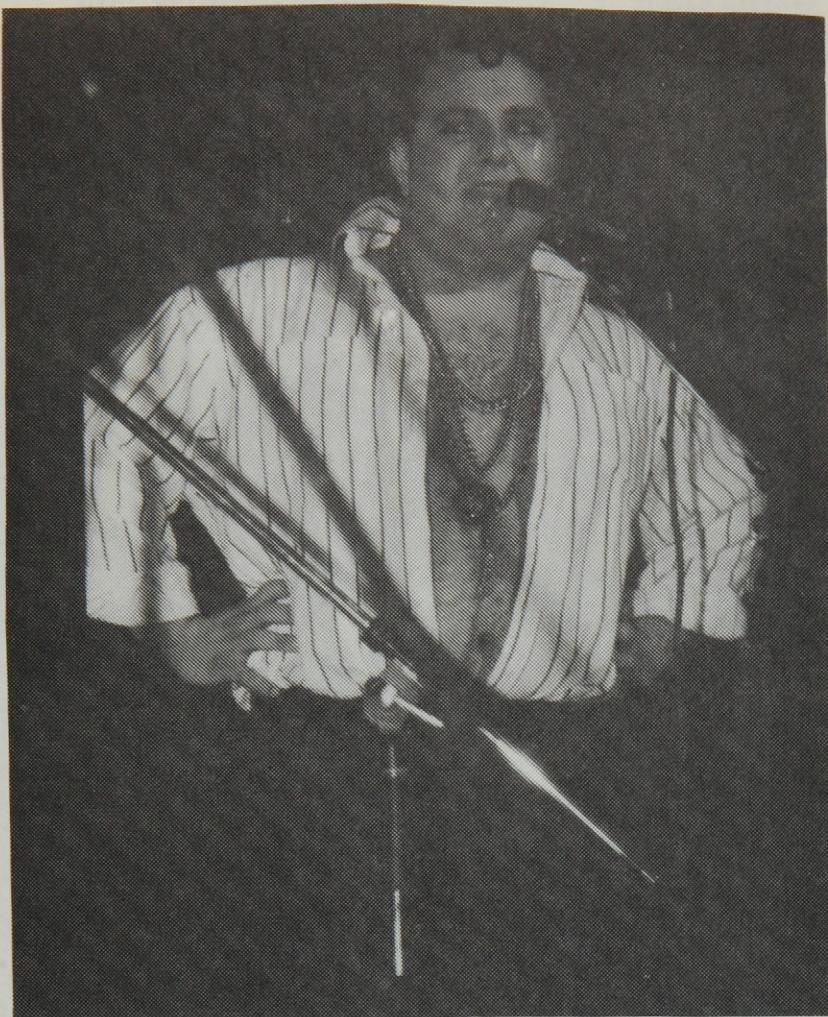


Everytime you go away...

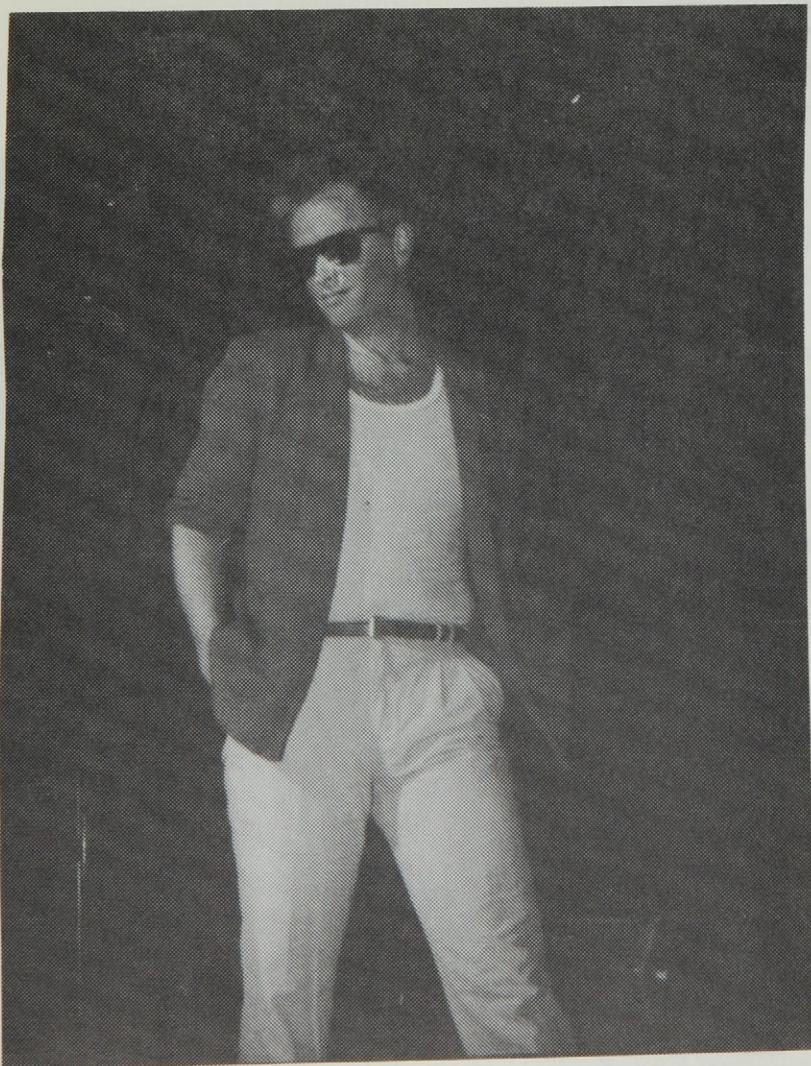


JUST RIGHT

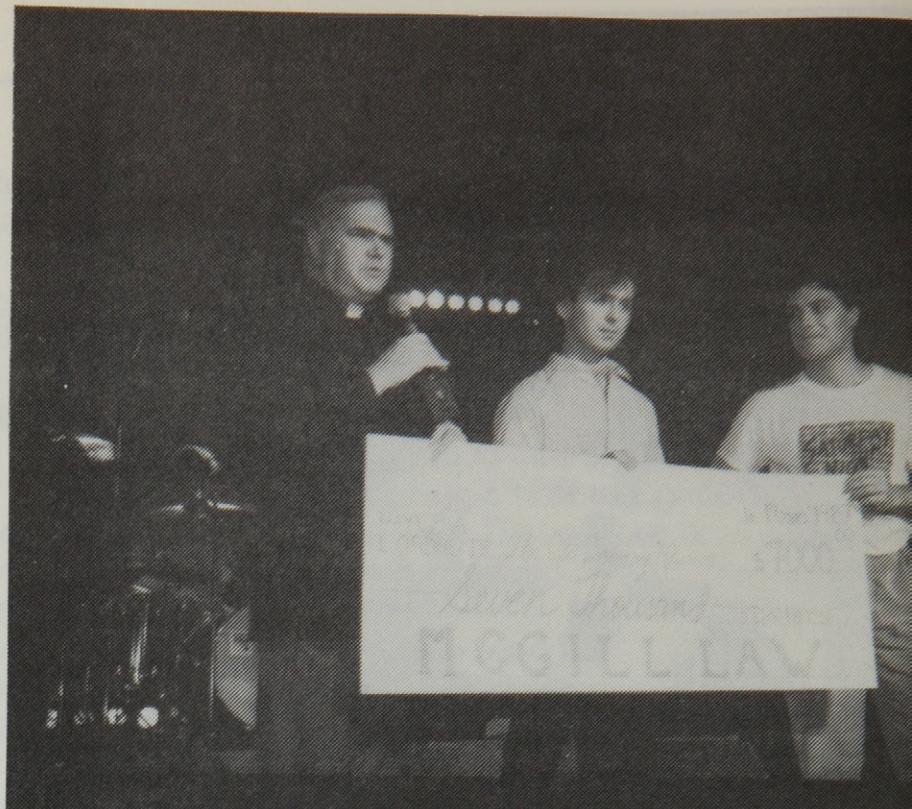
SKIT NITE...



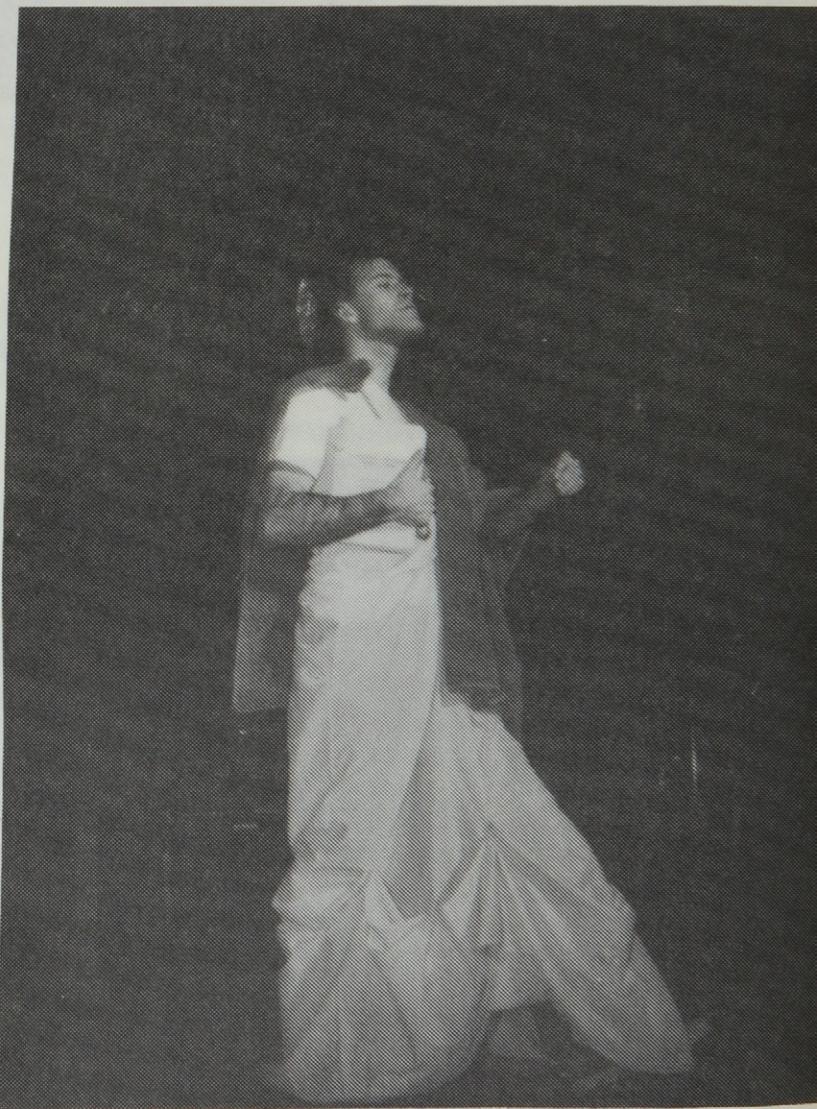
Every girl's dream (or is that nightmare?)



Brad, playing it safe.



Raison d'être



His Holiness...

PHOTOS COURTESY OF
ALI ARGUN. COPIES
AVAILABLE.

Was There ever any Doubt?

A dynasty is in place. Out of 32 teams, the men's basketball team, the Interdicts, have done it again. Undefeated, unabashed, they successfully defended the title surreptitiously stolen from the traditional powerhouses of PhysEd, Engineering and Medicine in 1986. It was no fluke after all.

Led by two seniors, David "Consummate White Guy" Oliver and Marc "Time...puff...wheeze...Out" Lemieux, a vicious inside game set the tempo for the finesse synonymous only with the Dicts. The addition of power-forward David "Maritime Marauder" Butts (allegedly cut by the Georgetown '82 squad for being too physical), BYU transfer Wade "But I've Got Good Form" Litchfield and their TV player, "Mr. Tournament", Steve Klar to the front-court, rounded out the undeniably finest group of space-eaters and board-crashers ever to grace the paint of Currie Gym.

The back-court was again led by last year's rookie sensation, Randall "The Pirate" Hofley who, with blazing speed (?) and air-defying penetration (?) orchestrated the Dicts offence. Highly-recruited Jane "Ms Downtown" Adolph added much at shooting guard: her range? how long is the Court?... Rounding out the trio is Rob "Ya Gotta Love These Shorts" Joseph, whose aggressive defence and quick hands made him the turnover terrorist.

First-semester playoffs left the Dicts unscathed. A victory was inevitable -- add one more mug. But injuries to Lemieux and Oliver, and otherwise

sporadic performance, left some fans worried as the Tournament approached. Player-coach Hofley was more worried about the biography he authorised last year than the forthcoming final four.

In the semi-finals, the Interdicts met last year's contenders, the MBA squad. Powered by the same two 6'7", 230 lbs

centers, the MBA cagers were nevertheless helpless against the Dicts' superior outside shooting and forceful inside presence. "Nothing but Net" Oliver and "Chicken Legs" Adolph embarrassed MBA's Twin Towers with face-launched fifteen-footers. The MBA squad's "man-to-person"

Cont'd on p.11

Interdicts Have Lucid Interval!

by Joe "The Grill" Starnino

The stuff legends are made of. That's what they'll be saying a few years from now when they recall the 1987 version of the McGill Faculty of Law Floor Hockey (played with felt "ringette") Championship team.

The match-up last Tuesday had all the markings of being a classic. The Interdicts versus the Ringwraiths, the latter being an experienced team who had beaten those same Interdicts (that's us) in last year's championship final. You could smell the upset in the air (or was that sweat?). It was one game, sudden-death, read-em-'n-weep, no second chances, winner-take-all (in this case, "all" being a coveted Intramural Mug, awarded annually to each member of winning intramural teams).

The teams played very tentatively at the start. Defence was the name of the game. Yours truly felt extremely secure in nets, though, with the likes of Rodney "Prairie Dog" Garson, the inimitable immovable on "D", along with Phil "The Terminator" Friedman and Todd "Flyin' Elbows" Robinson patrolling the opponents right into the ground.

But quicker than you can say "assault and battery," we drew first blood. Paul "The Rangers or Bust" Adams streaked up the right side (or was it the lift?) and let go of a whistling drive which nestled in the top corner of the net, just above the shoulder of the opponents' bedazzled net-minder. But we knew one goal wouldn't be enough, because a few minutes later the enemy

Cont'd on p.10

ELLEN ORNSTEIN

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Duncan Kennedy Cont'd from p.1

M. Kennedy est remonté aux origines des Crits, vers la fin des années '60, dans son attaque des "dures" facultés de droit. Deux genres de professeurs y sévissent: les "bons" et les "méchants". Ces derniers aiment à écraser leurs étudiants par leur attitude autoritaire et paternaliste, même s'ils redeviennent accessibles hors des salles de cours. Ces "méchants" proposent, en échange des souffrances qu'ils infligent, un certain développement, une préparation pour la "vraie" vie, où rien ne sera donné. Quant aux "bons", plus humains, moins tyranniques, leur "mollesse" est moins appréciée.

Puis M. Kennedy a introduit un débat sur les méthodes d'éducation, où les "bons gauchistes" s'opposent aux "méchants conservateurs". Le seul moyen de s'entraîner pour la "vraie vie" reste la rébellion contre les "méchants" professeurs. En fait, les professeurs libéraux trahissent leurs étudiants en donnant aux facultés de droit une image pluraliste alors qu'elles sont fortement réactionnaires.

En deuxième partie, Duncan Kennedy a critiqué le programme des facultés. Les cours actuels font que les étudiants oublient vite leurs aspirations originelles à des idéaux d'ordre et de justice. La méthode de raisonnement juridique inculquée aux étudiants de première année entraîne des résultats politiquement ou éthiquement iniques qui se justifient par des règles de droit. M. Kennedy a proposé d'ajouter au programme des cours portant sur le "Droit de la pauvreté" et "Les femmes et le droit" ainsi qu'une clinique d'aide juridique

obligatoire.

Troisièmement, la scission "durs"/"mous" chez les professeurs se retrouve aussi dans la jurisprudence. Les "durs" considèrent le droit comme établi, et n'y voient que quelques secteurs qui portent encore à controverse. Ils utilisent la méthode de raisonnement juridique et, quoiqu'ils en disent, pratiquent un positivisme de bon aloi. Par contre, les "mous", plus humains, nient l'objectivité du droit et y décèlent des valeurs sous-jacentes. Toutefois, la véritable opposition n'est pas tant entre l'objectivité et la subjectivité qu'entre la justice et l'injustice. Il manque aux facultés de droit des professeurs radicaux qui montreraient comment ces injustices peuvent être corrigées, tant en théorie que dans la pratique du droit. Les avocats sont moralement responsables de leurs clients et ils ne devraient pas accepter de défendre une cause qui leurs répugne.

Enfin, Duncan Kennedy a relaté la montée des féministes chez les Crits. À majorité masculin au départ, le mouvement avait adopté l'approche gauchiste traditionnelle, en s'engageant à remédier aux problèmes des femmes dès leur apparition. Les féministes Crits se revolteront contre cette approche "polie" et s'attireront la colère de leurs collègues masculins en amenant les questions féministes à l'avant-scène chez les Crits. M. Kennedy s'est ensuite lancé dans une comparaison entre l'impact du féminisme au Canada et chez nos voisins du Sud. Alors que les Américains ont reconnu l'importance du féminisme, le Canada cacherait encore de profonds préjugés sexistes sous une surface

égalitaire. La main de fer dans le gant de velours quoi...

Duncan Kennedy a conclu par un appel au regroupement des forces progressistes.

Dans son discours, Duncan Kennedy fut plus modéré que dans ses publications (voir à ce sujet, *Legal Education and the Reproduction of Hierarchy* (1982), 32 J. Legal Educ. 591). En effet, il a écrit que le système actuel est totalement pourri ("rotten through and through"), et que les activistes doivent viser au démantèlement total de ce système. Ses suggestions d'ajouts au programme lors de son discours, semblent valables. Mais en toute justice pour M. Kennedy, il faut mentionner qu'il a également recommandé dans ses articles une loterie lors de l'admission à la faculté, un nivellation des salaires et une rotations du personnel entre les postes d'enseignants et ceux de soutien.

Les reproches adressés aux facultés "dures" ne visaient pas vraiment McGill. Peu de professeurs, du moins parmi ceux de première année, correspondent au "méchant" professeur de Duncan Kennedy. Peut-être McGill compte parmi les rares facultés plus libérales... Peut-être la description de M. Kennedy ne correspond pas exactement à la réalité canadienne...

Même s'il a admis en être à sa première visite à Montréal, Duncan Kennedy s'est lancé dans des comparaisons entre les Etats-Unis et le Canada. Ses commentaires sur le féminisme des deux côtés de la frontière étaient pour le moins obscurs. Un peu plus d'expérience n'aurait pas nui, selon moi.

Cont'd on p.9



"Your aunt Frieda has left you \$50,000 if you'll promise to look after her cat."

Duncan Kennedy Cont'd from p.8

Duncan Kennedy a présenté des critiques intéressantes des facultés de droit. Toutefois ses généralisations restent fort discutables. Les méthodes d'enseignement doivent être ré-examinées, certes. Mais de là à y voir une confrontation entre la droite et la gauche, il y a un pas, que M. Kennedy n'hésite pas à franchir. Cette vision dénote un manque de réflexion - ou un refus de réfléchir -, car une dichotomie simpliste bien/mal ou droite/gauche nie la complexité de la formation juridique.

De même, il faut s'illusionner pour prétendre que l'enseignement actuel amène les étudiants à croire en l'existence d'une méthode de raisonnement juridique totalement imperméable à des considérations politiques ou équitables. Dès la première année, ne serait-ce qu'en droit constitutionnel, les étudiants se rendent vite compte que des facteurs politiques - pas

toujours cachés - influencent les décisions des tribunaux (il suffit de rappeler ici la décision de la Cour Suprême du Canada dans le *Renvoi sur la Loi anti-inflation*).

Enfin, Duncan Kennedy avance que les étudiants gagneraient plus à se rebeller contre les professeurs "durs" qu'à les subir. Vrai, mais une réforme constructive des méthodes d'enseignement serait encore plus bénéfique. Malgré les défauts qu'il leur a attribués, M. Kennedy n'a jamais dit que les professeurs "durs" étaient entêtés ou intractables. En somme, la perception de Duncan Kennedy touche certains points sensibles de la formation juridique. Cependant ses conclusions manichéennes sont la marque de l'orthodoxie marxiste et non des véritables efforts de pensée critique. Sa crédibilité s'en trouve minée d'autant. Il est à souhaiter que le mouvement des "Critical Legal Studies" sorte de l'enfance et débouche sur des propositions étudiées et réalisables.

Will It Never End?

Dear Quid Novi:

We are writing to express our profound disgust with the Mammajohn skit which was thrown in our collective faces at Skit Nite last Thursday in which male students were portrayed as objects of female sexual indifference.

How can people laugh so callously as if nothing were really going on? It seemed as if no one was aware of the blatant and degrading sexism inherent in the skit.

The organisers of Skit Nite are denying any responsibility and claim that we were just imagining the offensive material in question.

Will they never learn?
Someone should open their eyes.

Guys in the Law

Dear Quid Novi:

We are disgusted with the Dating Game skit, particularly with respect to Bachelor #3.

Don't these people know that the SPCA has guidelines for the use of animals in stage productions?

**G. Raphe
C. Lyon**

Tall Tales

by Teresa Scassa

Some would accuse law school of being an extensive brain washing experience. Yet washing is too mild a verb for the massive intelligence purge which has given rise to the concept of the sixth floor of the library.

Students are constantly being told to search for books on the sixth floor of the library. At one point, the sixth floor of the library was a smoking area. People complain about having to climb all those stairs to get to the sixth floor of the library.

Well, the library has no sixth floor. It has four floors. It is a small and insufficient space. Nothing less than a form of mind-numbing newspeak could turn a four story column of old books into a towering six floor testament to higher learning.

Students, in choosing law schools, will hear of McGill's six floor library and be impressed. They will also be misled. They will then be jaded and bitter about their law school experience. And rightfully so. Those of us already lured into the jaws of the Law Lie-brary will suffer from a subliminal brain-lulling that makes $2 + 2 = 6$.

It is clear that those of us who can count have a moral responsibility to correct this linguistic cover-up which elongates an otherwise stumpy edifice. We cannot continue to accept that our library has a sixth floor. It is not an easy thing to do but those of us who fight the urge to conform to convenient lies will stand much taller as a result.

Stoned in the Stacks Cont'd from p.1

It's about time the administration took a crack at the problem of drugs on campus. The situation as it is now smacks of complacence. We can only hope they don't make a complete hash of it all.

Lucid Intervals Cont'd from p.7

scored to tie up the game at 1. And so it remained at half-time.

As the teams changed ends, each and every player knew that the next 20 minutes was going to be "make or break" prime time. The opponents scored again early on to take a precious lead of 2-1. It seemed that this goal, plus a couple of lucky stops at our own end, reminded us that we had a job to do. Our year-long superb conditioning program, with Harold as the trainer, took over. You could feel the MOMEN-TUM beginning to shift, as the Interdict forwards began bombing the enemy's home base.

With time growing thin, Buster "One-eyed Cobra" Simmons took over the show. With about 8 minutes left in the season, he scored an uplifting goal to tie it up at 2. At that point, we could taste it. Buster broke in on a break-away, one-on-one show-time with the goalie, and did not miss (this time!). It was with that goal that the Interdicts took the lead 3-2 with 1:35 left. This was it!

The opponents started pressing

to get the equalizer, but that was their last big mistake of the night (their first was showing up). With about 20 seconds left to go, Buster was again sent in all alone, and performed a perfect replay. He scored, giving himself a "natural hat trick", the game MVP, and the team the long-sought and heartily-fought-for-mugs.

The whole game was, no doubt about it, a TEAM effort. The inspirational leader for the team was Gus "One-Peg" Grant, who was double-teamed all night, opening chances for his line-mates. André "The Chameleon" Ouellette did LL B-I proud as the freshman gave the opponents headaches all night zigging left and zagging right. Francis "The Lumberjack" Mahoney played "as steady as a redwood" on both offence and defence, as did Lenny "The Flash" Roth who ran circles around the opponents' defencemen, all game.

Unfortunately, the team will be losing two of its un-sung heroes, who both played outstandingly in the victory. Firstly, Mike "Mad Dog" Laliberté was tough, beating up on our opponents all night. They'll remember him. They'll be asking: "who was the mane of curly brown hair?" Lastly, but not leastly, Nelson "Make My Day" Eschleman is going to move out West to play professional ring out there. His wildly acrobatic antics and superb efforts will not easily be replaced next year.

In closing, as captain of this bunch of crazed Interdicts, let me say I had a blast this year. I was really proud of the team last Tuesday night, as they sweated, grunted, and hit their way into the annals of McGill Intramural Sports history. Way to go guys!

**Was There Ever
Any Doubt?
Cont'd from p.7**

defence began to pour on all sides, thanks mostly to a relentless "bruise as you cruise" picking offence. Up by 4 points at the half, the Dicts went on to pulverize the MBA squad in a classic confrontation of law and commerce.

The game had nonetheless taken its toll. Forwards Lemieux, Klar and Butts ("Limp", "Whimp" and "Pimp") had borne the brunt of the Twin Tower's inside frustration and were doubtful starters for the finals.

But start the game they did. The Dicts came to Currie Gym fully-prepared. Player-coach ("I love my players") Hofley was even part of the pre-game warm-up, contrary to his laid-back, play-with-it-when-I-get-there habits. The morale was high. But their readiness played against the Dicts. For the first 5 minutes, the squad was nervous, the hoops didn't fall, the hands were cold. The opponents quickly jumped ahead, and player-coach ("Concentrate on your game-plan") had to use his time out.

An inspired squad came out of the huddle. The strategy: spread the 2-3 zone and impose your pace. The discipline paid off. The Dicts overcame an 8 point deficit to finish 1 point ahead at the half, thanks to a last second contribution by "Crest and Brylcreem" Oliver.

The second half was a formality -- the Dicts knew victory was close at hand. Junior Jane ("Legs up to here") and Sophomore Rob ("Checker Shorts") led the Dicts' triumphant march. "Fatty" Hofley picked the zone defence with moonwalk-drives in the

Cont'd from p. 12

key. The capacity-plus crowd went wild as veterans ("Stay-home-baby-you-jinx-me") Oliver and ("Sister Morphine") Lemieux were removed with less than a minute to play, their team up by 16 points.

After the bedlam died down, Musberger got his interviews

and the drug-testing was completed. The locker-room was quiet. The coach said goodbye to the seniors and immediately left to begin recruiting. All were content that they had secured for themselves a place in intramural basketball history.

Future Manhattanite dreamers of White & Case and other such legal appointments:: Beware!
 Great Expectations of Yuppie life may in fact turn out to be jaded narcissistic nightmares.
 Playing upon Allen Ginsberg's beat epic "Howl", this excerpted poem could be you, limping
 through the nineteen nineties.

Yowls

by Christopher Buckley
 and Paul Slansky

I saw the best minds of my generation destroyed by stress
 frazzled overtired burnt-out,
 jogging through suburban streets at dawn
 as suggested by James Fixx,
 career-minded yupsters burning for an Amstel Light
 watching Stupid Pet Tricks,
 who upwardly mobile and designer'd and bright-eyed and high sat up
 working in the track-lit glow of the Tribeca loft skimming
 through the Day Timer while padding the expense account,
 who passed through universities and saved their asses hallucinating Grateful
 Dead posters and eating Sara Lee while watching the war on TV
 who were graduated and went on to law schools burning to save the world,
 who brewed decaffeinated coffee doing their yoga in alligator shirts and
 listening to the latest Windham Hill Sampler,
 who ate chocolate croissants in outdoor cafés and drank blush
 wine on Columbus Avenue washed down with a little Percodan
 with Dove Bars with Diet Coke and Lean Cuisine,
 stopping by on the way home for a pound of David's cookies
 telling each other of their fears of intimacy and their need
 for space and inability to commit - for now,
 who watched Mary Tyler Moore reruns and wept for Rhoda and worried about
 acid rain and the mercury in the swordfish while strung out on cyclamates
 mentioning to the waiter not to put in,
 who prowled through uncertain money markets chewing Tums and
 doing lines with the Hispanics in the mail room
 sitting in the gents with baby-laxative runs while the boss buzzes
 and the secretary says you're on the phone to Bonn,
 who stayed up too late working out their relationships 'n' things feeling
 the gnawing rat-fear that they hadn't been communicating lately and
 the urgent pounding screaming need to think about their priorities,
 yacketayakking analyzing thinking it through making constructive
 suggestions as the eastern sky flamed in raw Ralph Lauren pastels,
 got to get away for a few days but the Hartmann luggage is being
 repaired oh,
 who needs this wandering through Needless-Markup wailing (inside) for
 the baby seals and the bunnies slaughtered for lipstick
 remembering all the unanswered anti-vivisection junk mail on the
 way to the appliances section to beg another blade for the Cuisinart,
 who subscribed to *Gourmet* and the *American Lawyer* and after an exhausting
 search found Jamaica time-shares in the classifieds for only
 \$1,200 a month coping as best as they could with the Negro beach boys
 wanting to sell them ganja,

Cont'd on p.11